

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	RUBÉN CASTILLO	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 2544	DATE	May 8, 2008
CASE TITLE	United States ex rel. Tobias Garrett (#R-05862) vs. Warden Terry McCann, et al.		

DOCKET ENTRY TEXT:

The petitioner is granted twenty-one days in which either to pay the \$5.00 filing fee or file a petition for leave to proceed *in forma pauperis*. The clerk is directed to send the petitioner an application to proceed *in forma pauperis*. If the petitioner fails to comply within twenty-one days of the date of this order, the court will summarily dismiss this action.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Although the clerk has accepted this *pro se* petition for a writ of habeas corpus for docketing pursuant to Rule 5(e) of the Federal Rules of Civil Procedure, the petitioner has neither paid the \$5.00 filing fee nor filed a petition for leave to proceed *in forma pauperis*. If the petitioner wishes to proceed with this action, he must either pay the \$5.00 filing fee or, in the alternative, file an *in forma pauperis* application complete with a certificate from a prison official stating the amount on deposit in the prisoner's trust account. The clerk is directed to send the petitioner an *in forma pauperis* application. If the petitioner fails either to pay the filing fee or file a fully completed application to proceed without prepayment of costs and fees within twenty-one days, the court will summarily dismiss this action.

mjm